



U.S. Department of Justice

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January 17, 2006

Via Electronic Filing

The Honorable Gregory M. Sleet
J. Caleb Boggs Federal Building
844 N. King Street
Room 4324
Lockbox 19
Wilmington, DE 19801

Re: Ciabatttoni v. United States, 04-203 (GMS)

Dear Judge Sleet,

As the Court is aware, this matter has been stayed for a number of months pending negotiations between the landowner plaintiff and a conservancy group sharing conservation interests with the United States. I have been told, and plaintiff's counsel has confirmed, that those talks have broken down and that the talks have now been unsuccessfully concluded. Accordingly, this matter can now proceed forward. Before this matter was stayed, the United States had filed a dispositive motion to which the plaintiff has not yet responded. Accordingly, as an initial matter, the plaintiff should be required to file a response to that motion. The parties stand ready to appear at the Court's convenience for a status hearing to discuss this matter further.

Respectfully submitted,

COLM CONNOLLY
United States Attorney

By: _____/S/
RUDOLPH CONTRERAS
Assistant United States Attorney
Chief, Civil Division

cc: Richard Forsten (via ECF)